



**RESPONSE UNDER 37 C.F.R.  
§1.116 EXPEDITED PROCEDURE  
EXAMINING GROUP 1645**

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

**Applicant(s):** David A. Brake, et al.

**Examiner:** Jennifer E. Graser

**Serial No.:** 10/036,351

**Art Unit:** 1645

**Filed:** November 9, 2001

**Docket:** 15479A (PC9898B)

**For:** NEOSPORA VACCINE

**Dated:** October 3, 2003

Commissioner for Patents  
United States Patent and Trademark Office  
P.O. Box 1450, Alexandria, VA 22313-1450

**RECEIVED**

OCT 08 2003

TECH CENTER 1600/2900

**AMENDMENT UNDER 37 C.F.R. §1.116**

Sir:

In response to the Final Action dated July 3, 2003, and in accordance with the provisions of 37 C.F.R. §1.116, Applicants respectfully request entry of the following amendment in the above-identified case.

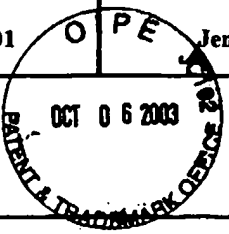
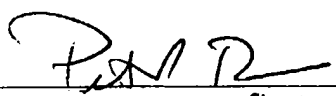
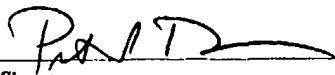
**CERTIFICATE OF MAILING UNDER 37 C.F.R. §1.8(a)**

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner for Patents, P. O. Box 1450, Alexandria, Virginia 22313-1450 on October 3, 2003.

Dated: October 3, 2003

  
Peter I. Bernstein

AF/1600

|  |                                     |                                |   |                                |                   |
|--|-------------------------------------|--------------------------------|---|--------------------------------|-------------------|
| <b>AMENDMENT TRANSMITTAL LETTER (Large Entity)</b>   |                                     |                                |   | Docket No.<br>15479A (PC9898B) |                   |
| Applicant(s): David A. Brake, et al.   |                                     |                                |   |                                |                   |
| Serial No.<br>10/036,351   | Filing Date<br>November 9, 2001     | Examiner<br>Jennifer E. Graser | Group Art Unit<br>1645  |                                |                   |
| Invention: NEOSPORA VACCINE  |                                     |                                | Corres. and Mail<br><b>BOX AF</b>   |                                |                   |
|   |                                     |                                |   |                                |                   |
| <b>TO THE COMMISSIONER FOR PATENTS:</b>  |                                     |                                |   |                                |                   |
| Transmitted herewith is an amendment in the above-identified application.  |                                     |                                |   |                                |                   |
| The fee has been calculated and is transmitted as shown below.   |                                     |                                |   |                                |                   |
| <b>CLAIMS AS AMENDED</b>   |                                     |                                |   |                                |                   |
|  | CLAIMS REMAINING<br>AFTER AMENDMENT | HIGHEST #<br>PREV. PAID FOR    | NUMBER EXTRA<br>CLAIMS PRESENT  | RATE                           | ADDITIONAL<br>FEE |
| TOTAL CLAIMS   | 9 -                                 | 20 =                           | 0 x   | \$18.00                        | \$0.00            |
| INDEP. CLAIMS  | 1 -                                 | 3 =                            | 0 x   | \$84.00                        | \$0.00            |
| Multiple Dependent Claims (check if applicable) <input type="checkbox"/>   |                                     |                                |   |                                | \$0.00            |
| <b>TOTAL ADDITIONAL FEE FOR THIS AMENDMENT</b>   |                                     |                                |   |                                | <b>\$0.00</b>     |
| <div style="float: right; text-align: right;"> <b>RECEIVED</b><br/> OCT 08 2003<br/> TECH CENTER 1600/2900 </div> <div> <input checked="" type="checkbox"/> No additional fee is required for amendment.<br/> <input type="checkbox"/> Please charge Deposit Account No. _____ in the amount of _____<br/> <input type="checkbox"/> A check in the amount of _____ to cover the filing fee is enclosed.<br/> <input checked="" type="checkbox"/> The Director is hereby authorized to charge payment of the following fees associated with this communication or credit any overpayment to Deposit Account No. 19-1013/SSMP<br/> <input checked="" type="checkbox"/> Any additional filing fees required under 37 C.F.R. 1.16.<br/> <input checked="" type="checkbox"/> Any patent application processing fees under 37 CFR 1.17. </div> |                                     |                                |   |                                |                   |
| <br>_____<br>Signature  |                                     |                                | Dated: October 3, 2003  |                                |                   |
| <b>Peter I. Bernstein</b><br>Registration No. 43,497<br>Scully, Scott, Murphy & Presser<br>400 Garden City Plaza<br>Garden City, New York 11530<br>(516) 742-4343  |                                     |                                | <div style="border: 1px solid black; padding: 5px;"> I certify that this document and fee is being deposited on 10/3/03 with the U.S. Postal Service as first class mail under 37 C.F.R. 1.8 and is addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.<br/><br/> <br/> _____<br/> Signature<br/><br/> <b>Peter I. Bernstein</b><br/> _____<br/> Typed or Printed Name </div> |                                |                   |
| cc: PIB/XZ:ab  |                                     |                                |   |                                |                   |